

REMARKS

This amendment is being submitted in response to the Notice of Noncompliant Amendment mailed January 6, 2006. In that Notice, the Examiner indicated that the claims should be presented on separate sheets, and that two claims were designated as claim 15.

Applicant submits this Substitute Amendment to more completely address the issues raised by the Examiner in the Official Action mailed March 21, 2005, and to correct the deficiencies in the prior Amendment submitted June 15, 2005. Specifically, Applicant now presents the pending claims beginning on a separate sheet, and has deleted the nonelected claims, including the two claims designated as claim 15. In this Substitute Amendment, Applicant further addresses the objections made to the Abstract, and affirms the election of claims in response to the earlier Restrictions Requirement. Therefore, in order to complete the record and expedite Examination of this application, Applicant respectfully requests that this Substitute Amendment be entered in place of the Amendment filed June 15, 2005.

Restriction Requirement

The Examiner imposed a restriction requirement and

requested that Applicant select one group of claims for further prosecution as follows:

Group I, Claims 1-10, 22; and

Group II, Claims 11-21.

In a telephone conversation with Applicant's previous attorney, John Parrish, Applicant elected the claims of Group I (Claims 1-10 and 22) with traverse. Applicant herein affirms this election.

Amendment to the Specification

The Examiner objected to the Specification for improper format of the Abstract. Applicant herein amends the specification to include an Abstract written in proper format as requested by the Examiner. Accordingly, Applicant now submits that this objection is overcome.

Amendment to the Claims

Following entry of the present amendment, Claims 1-10 and 22 remain in the application for consideration. Claims 11-21 are herein cancelled as directed to a non-elected invention. Applicant retains the right to file one or more divisional applications directed to claims 11-21.

Allowable Subject Matter

The Examiner indicated that claims 1 and 2-10 would be allowable if amended to overcome the rejections under 35 USC §112, second paragraph. As described in detail below, Applicant herein amends the claims to overcome the §112, paragraph 2, rejections, and now submit that claims 1 and 2-10 are allowable. Similar amendments have also been made to claim 22, and therefore Applicant submits that claim 22 is also allowable.

Rejections Under 35 USC §112, Second Paragraph

Claims 1-10 and 22 were rejected under 35 U.S.C. 112, second paragraph, as purportedly indefinite. The Examiner indicated that "oz.", "gal.", and "oz. per 1000 gal." be inserted into the claims to clarify the units for MD, PV and DC, respectively.

Applicant respectfully thanks the Examiner for this suggestion and herein amends claims 1 and 22 in accordance with this suggestion. Applicant now submits that this rejection is overcome.

Rejections Under 35 USC §102

Claim 22 was rejected under 35 USC §102 as anticipated by U.S. Patent No. 5,326,481 to Alwerud. Applicant respectfully

traverses the rejection.

Alwerud discloses a method for automatic dispensing of chlorine in swimming pools where a computer measures the pool water temperature and an empirically derived table is used for the computer to select a temperature related volume unit figure for chlorine dispensing.

In contrast, claim 1 of the present invention, recites a method of treating a volume of water to main to maintain a predetermined amount of a water treatment chemical in the volume of water over a time period wherein, among other things, a maintenance dose of chemical is calculated according to the equation $MD = (PV)(DC)$, where MD = Maintenance dose of water treatment chemical (oz.); PV = Volume of water to be treated (gallons); and DC = Consumption of water treatment chemical over the time period (oz. per 1000 gallons).

Applicant submits that Alwerud does not disclose or suggest that the equation $MD = (PV)(DC)$, where MD = Maintenance dose of water treatment chemical (oz.); PV = Volume of water to be treated (gallons); and DC = Consumption of water treatment chemical over the time period (oz. per 1000 gallons) could be used to calculate the maintenance dose of water treatment chemical, and therefore Alwerud does not anticipate the presently claimed invention. Accordingly, Applicant now submits

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that this rejection is overcome.

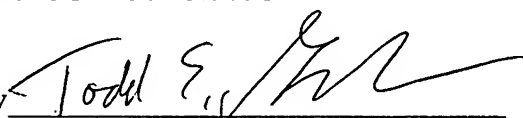
Applicant now submits that claims 1-10 and 22 are in condition for allowance and a Notice of Allowance is respectfully requested.

If the Examiner has any questions or feels that a discussion with Applicant's representative would expedite prosecution, the Examiner is invited and encouraged to contact Applicant's undersigned representative at the telephone number listed below.

The Examiner is authorized to charge any fees, or credit any overpayments, associated with this preliminary amendment to Deposit Account 23-1665.

Respectfully submitted,

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